

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOEY ROBERT RUIZ,
Petitioner,
v.
CLAUDE F. FINN, WARDEN,
Respondent.

No. 2:21-cv-00668-TLN-AC

ORDER

Petitioner, a state prisoner proceeding *pro se* and in forma pauperis, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 31, 2022, the magistrate judge assigned to this matter issued an order which recommended that Respondent's motion to dismiss, (ECF No. 22), be granted. (ECF No. 23.) At that time the parties were given fourteen days within which to file objections to the order.

On April 18, 2022, the magistrate's order that had been served on Petitioner was returned to this Court as "undeliverable, not deliverable as addressed." Although Petitioner's copy of the findings and recommendation was returned, Petitioner was properly served. It is the Petitioner's responsibility to keep the Court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

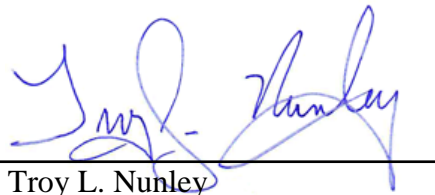
The Court has reviewed the file and finds the findings and recommendations to be

1 supported by the record and by the magistrate judge's analysis. Furthermore, both the fourteen-
2 day period for Petitioner for file objections as well as the sixty-three-day period within which
3 Petitioner was to file a change of address with the Court (*see* Local Rule 183(b)) have expired.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The Findings and Recommendations issued March 31, 2022, (ECF No. 23), are
6 adopted in full;
- 7 2. Respondent's Motion to Dismiss, (ECF No. 22), is GRANTED, and
- 8 3. The court DECLINES to issue the certificate of appealability referenced in 28 U.S.C.
9 § 2253.

10 **DATED: July 18, 2022**

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15 Troy L. Nunley
16 United States District Judge
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